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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,973	10/21/2003	Peter Hachimann	A-3839	4411

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EXAMINER

MORRISON, THOMAS A

ART UNIT PAPER NUMBER

3653

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/689,973	HACHIMANN ET AL.	
	Examiner	Art Unit	
	Thomas A. Morrison	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 1,3,8-18 and 21 is/are rejected.
- 7) ☒ Claim(s) 2 and 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment of February 17, 2006 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 8 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 8, the last 5 lines of this claim are confusing. It is confusing as to the locations of the regions, and also it is unclear how the regions are defined as areas where the sheet-carrying air flows produce a vacuum when purging air flows are lacking. How can positive air flows (i.e., sheet-carrying air flows) produce a vacuum?

With regard to claim 9, the last 5 lines of this claim are confusing. It is confusing as to the locations of the regions, and also it is unclear how the regions are defined as areas where the sheet-carrying air flows produce maximum vacuum when purging air flows are lacking. How can positive air flows (i.e., sheet-carrying air flows) produce a vacuum?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 9-14, 16-18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Publication No. 20010011509 (Fujimoto).

Regarding claim 1, Figs. 7(A)- 7(B) show a sheet-processing machine, comprising:

a blast or blown-air supply system (including 51); and

a pneumatic sheet-guiding device (Fig. 7(A)) connected to the blast or blown-air supply system (including 51); the sheet-guiding device having flow ducts (near 4a and near 4b in Fig. 7(A)) for aligning sheet-carrying air flows (Fig. 4B); the sheet-guiding device (Fig. 7(A)) having a sheet-guiding surface (upper surface in paragraph [0015]); the sheet-guiding surface (upper surface in paragraph [0015]) having air passage openings (4a and 4b in Fig. 7(B)) formed therein for sheets being dragged over the air passage openings (4a and 4b in Fig. 7(B)) in a sheet travel direction (Fig. 7(B)) and for expelling the sheet-carrying air flows during operation; the air passage openings (4a and 4b in Fig. 7(B)) in the sheet-guiding surface (upper surface in paragraph [0015]) forming opening cross-sections of the flow ducts (near 4a and near 4b in Fig. 7(A)), the opening cross-sections being slots having a length and a width, the length being

multiple times greater than the width. See lengths and widths of 4a and 4b in Fig. 7(B). The lengths along the feeding direction are multiple times greater than the widths measured perpendicular to the lengths.

Regarding claim 3, Fig. 7(B) shows that the slots (e.g., at 4a and 4b) are disposed symmetrically with respect to a line of symmetry.

Regarding claim 9, as best understood, Figs. 7(A) and 7(B) show that the air passage openings (4a and 4b) include supporting-air openings formed in the sheet guiding surface (upper surface in paragraph [0015]) for discharging supporting air flows, the supporting-air openings being disposed in regions of the sheet-guiding surface, the regions being defined as areas where the sheet-carrying air flows produce maximum vacuum when supporting air flows are lacking.

Regarding claim 10, Fig. 7(A) shows that the slots are inclined with respect to the sheet travel direction.

Regarding claim 11, Figs. 7(A) and 7(B) show that the slots are oriented in the sheet travel direction.

Regarding claim 12, Fig. 7(B) shows that the slots have a width varying along the length thereof. The triangle-shaped portions have varying width along the lengths.

Regarding claim 13, Fig. 7(B) shows that the slots have a variable width.

Regarding claim 14, Fig. 7(B) shows that the slots are respectively disposed repeatedly on both sides of a line of symmetry extending in the sheet travel direction

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(i.e., the feeding direction), the line of symmetry having a central location with respect to the sheet guiding surface.

Regarding claim 16, Fig. 7(A) shows that the blast-air supply system (including 51) has chambers (disposed around 51) respectively communicating with the slots.

Regarding claim 17, Figs. 7(A) and 7(B) show a multiple configuration of the slots to be acted upon individually with blast air.

Regarding claim 18, Fig. 7A shows a cut-away view with one of the waste-air openings (near 3') and blowers (51) assigned to the slots and having suction sides (one shown near 2' in Fig. 7(A)) communicating with the waste-air openings and pressure sides (above 51 near 4a and above 51 near 4b) communicating with the slots.

Regarding claim 21, Figs. 7(A) and 7(B) show a rotary printing press (see Abstract), comprising:

- a blast or blown-air supply system (including 51); and

- a pneumatic sheet-guiding device (Fig. 7(A)) connected to the blast or blown-air supply system (including 51); the sheet-guiding device having flow ducts (near 4a and near 4b in Fig. 7(A)) for aligning sheet-carrying air flows (Fig. 4B); the sheet-guiding device (Fig. 7(A)) having a sheet-guiding surface (upper surface in paragraph [0015]); the sheet-guiding surface (upper surface in paragraph [0015]) having air passage openings (4a and 4b in Fig. 7(B)) formed therein for sheets being dragged over the air passage openings (4a and 4b in Fig. 7(B)) in a sheet travel direction (Fig. 7(B)) and for

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expelling the sheet-carrying air flows during operation of the rotary printing press; the air passage openings (4a and 4b in Fig. 7(B)) in the sheet-guiding surface (upper surface in paragraph [0015]) forming opening cross-sections of the flow ducts, the opening cross-sections being slots having a length and a width, the length being multiple times greater than the width. See lengths and widths of 4a and 4b in Fig. 7(B). The lengths along the feeding direction are multiple times greater than the widths measured perpendicular to the lengths.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 20010011509 (Fujimoto). The Fujimoto publication discloses the claimed invention except for the slots having different lengths. It would have been an obvious matter of design choice to make the slots different lengths, since applicant has not disclosed that different length slots solve any stated problem or are for any particular purpose and it appears that the invention would perform equally well with different length slots. One of ordinary skill in the art would have been motivated to provide whatever convenient slot lengths are best for keeping a sheet suspended at a specified height above the surface of the sheet processing machine to stabilize the

travel of the sheet, as suggested by the numbered paragraph [0015] of the Fujimoto publication.

Allowable Subject Matter

5. Claims 19-20 are allowed. Claims 2 and 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 8 would be allowable if amended to overcome the rejection under 35 U.S.C. 112, second paragraph, as outlined above.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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